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SERVICE DATE - JULY 25, 2002

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34225]

Norfolk Southern Railway Company—Trackage Rights Exemption—Reading Blue Mountain and Northern Railroad Company

Reading Blue Mountain and Northern Railroad Company (RBMN), pursuant to a written trackage rights agreement entered into between RBMN and Norfolk Southern Railway Company (NSR),<sup>1</sup> has agreed to grant overhead trackage rights to NSR over approximately 56.7 miles of RBMN's Lehigh Line between milepost 119.3 in Lehigh Yard and milepost 175.5 in Dupont, PA.<sup>2</sup>

The transaction is expected to be consummated no sooner than the latter of (1) July 12, 2002 (7 days after the exemption was filed), or (2) the expiration of any labor notice period to which NSR may be subject.

Under the proposed transaction, the trackage rights will enable NSR to efficiently route traffic between Allentown, PA, and points in New York State in conjunction with trackage

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<sup>1</sup> NSR is a wholly owned subsidiary of Norfolk Southern Corporation, a holding company.

<sup>2</sup> According to NSR's representative, due to historic reasons concerning the varied ownership of the line, there is a discrepancy of approximately one-half mile between the apparent and actual mileage between the milepost locations.

rights concurrently being obtained in STB Finance Docket No. 34209, Norfolk Southern Railway Company–Trackage Rights Exemption–Delaware and Hudson Railway Company, Inc.<sup>3</sup>

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in Norfolk and Western Ry. Co.–Trackage Rights–BN, 354 I.C.C. 605 (1978), as modified in Mendocino Coast Ry., Inc.–Lease and Operate, 360 I.C.C. 653 (1980).

The notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34225, must be filed with the Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John V. Edwards, Norfolk Southern Corp., Three Commercial Place, Norfolk, VA 23510-2191.

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<sup>3</sup> Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific Railway (CPR) has agreed to grant NSR overhead trackage rights over approximately 284.6 miles of CPR's freight main line, between NSR's connection with CPR at milepost 752.0 near Sunbury, PA, and CPR's connection with Guilford Rail System at milepost 467.40 at Mechanicville, NY.

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Decided: July 18, 2002.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary